



Public Notice

U.S. Army Corps
of Engineers
Pittsburgh District

In Reply Refer to
Notice No. below

US Army Corps of Engineers, Pittsburgh District
1000 Liberty Avenue
Pittsburgh, PA 15222-4186

Application No. 200400150

Date: February 11, 2004

Notice No. 04-M2

Closing Date: March 3, 2004

1. TO ALL WHOM IT MAY CONCERN: Notice is given that the Pittsburgh District, pursuant to Section 101 of Public Law 102-580 (Water Resource Development Act of 1992), Section 10 of the Rivers and Harbors Act of 1899, and Section 404 of the Clean Water Act, proposes to install an accessible fishing pier and construct a two-space accessible parking lot at Kinzua Dam, Allegheny River Mile 197.3.

2. DESCRIPTION OF PROPOSED WORK: The proposed work will include:

a. Fishing pier - will be placed on 8" galvanized pilings. The access portion of the pier will be 125 feet long and 11.5 feet wide into the river. A portion of the pier that will enter the river the furthest is 30 feet long and 18 feet wide for a total length in the water of 36 feet (including the access portion of the pier).

b. Parking lot - leveling below Ordinary High Water for construction of a 2 space accessible lot at the entrance of the fishing pier.

c. Future maintenance - upgrade the existing access road with either gravel or asphalt.

3. WATER QUALITY CERTIFICATION: A decision will not be made on whether to proceed with this proposed work until the Pennsylvania Department of Environmental Protection (PADEP) issues, denies, or waives Water Quality Certification. This Public Notice serves as application to the PADEP for Water Quality Certification.

4. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information and has determined that one state endangered/federal threatened species, the bald eagle, is known in the vicinity of the project area. The projected work is scheduled outside the nesting season (July 31 and January 15) and will not likely affect the continued existence of this species or result in the destruction or adverse modification of habitat of this species which has been determined to be critical. This Public Notice serves as a request to the

U. S. Fish and Wildlife Service for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended).

5. IMPACT ON CULTURAL RESOURCES: The National Register of Historic Places has been consulted, and it has been determined that there are no properties currently listed on the register which would be directly affected by the proposed work. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archeological, scientific, prehistorical, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515).

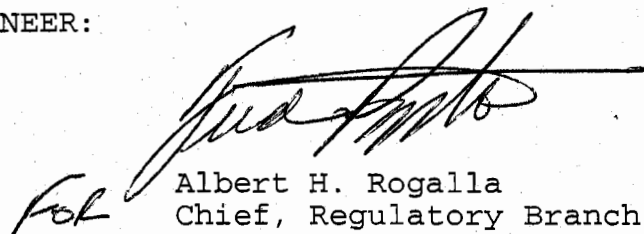
6. PUBLIC INVOLVEMENT: Any person may request, in writing, within the comment period specified in the paragraph below entitled "RESPONSES," that a public hearing be held to consider this application. The requests for public hearing shall state, with particularity, the reasons for holding a public hearing.

7. EVALUATION: Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposals must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National

Environmental Policy Act. Comments are also used to determine the overall public interest of the proposed activity. The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act (40 CFR Part 230).

8. RESPONSES: A permit will be granted unless its issuance is found to be contrary to the public interest. Written statements concerning the proposed activity should be received in this office on or before the closing date of this Public Notice in order to become a part of the record and to be considered in the final determination. Any objections which are received during this period may be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. All responses to this notice should be directed to the Regulatory Branch, attn Nancy Mullen, at the above address, by telephoning (412) 395-7170, or by e-mail at Nancy.J.Mullen@lrp02.usace.army.mil. Please refer to CELRP-OR-F 200400150 in all responses.

FOR THE DISTRICT ENGINEER:


Albert H. Rogalla
Chief, Regulatory Branch

1" = 2,000'

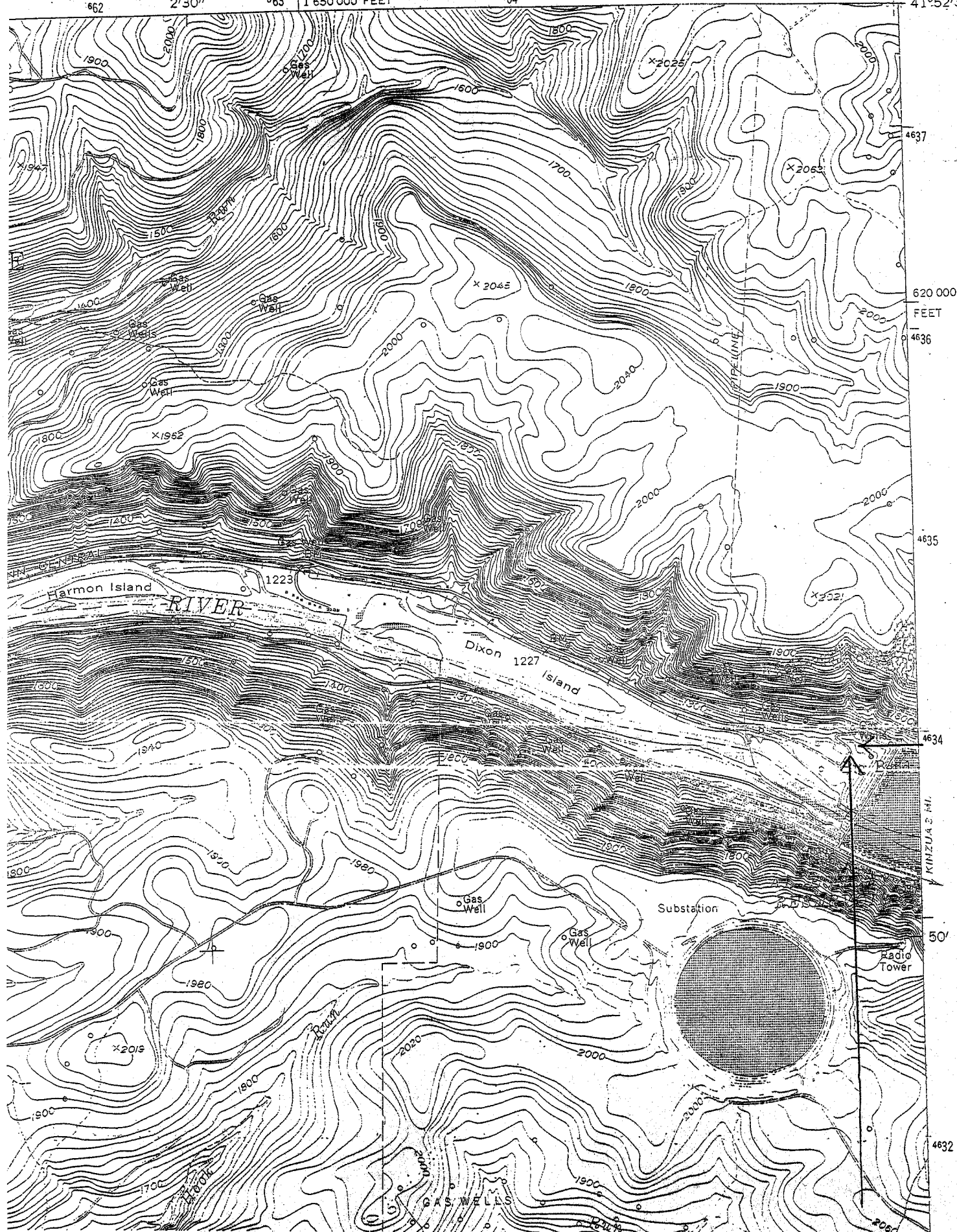
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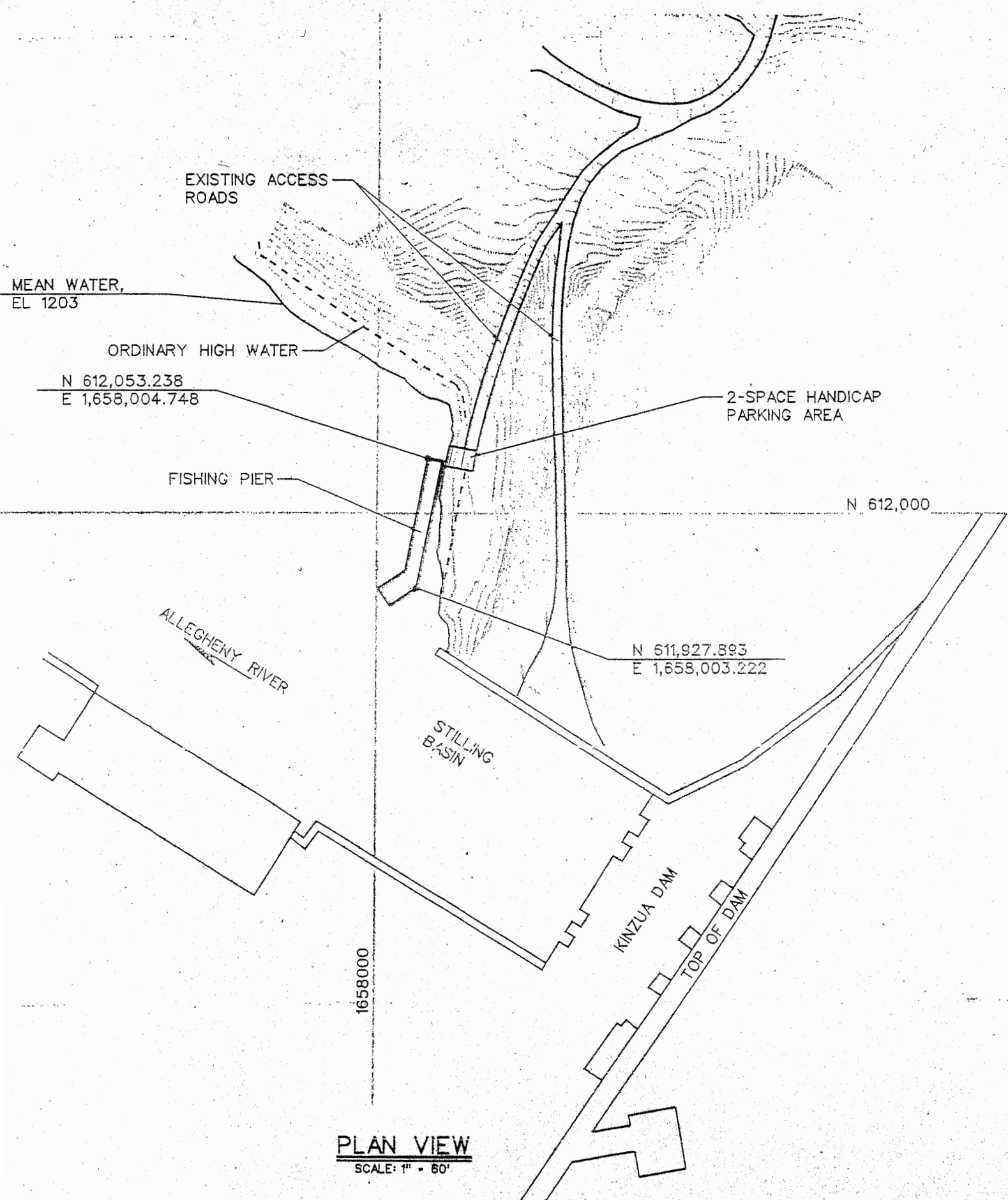
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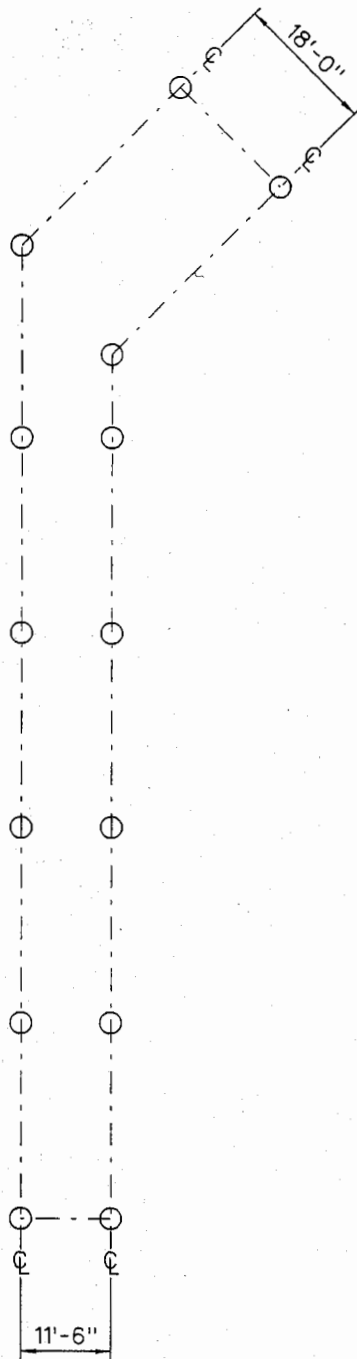
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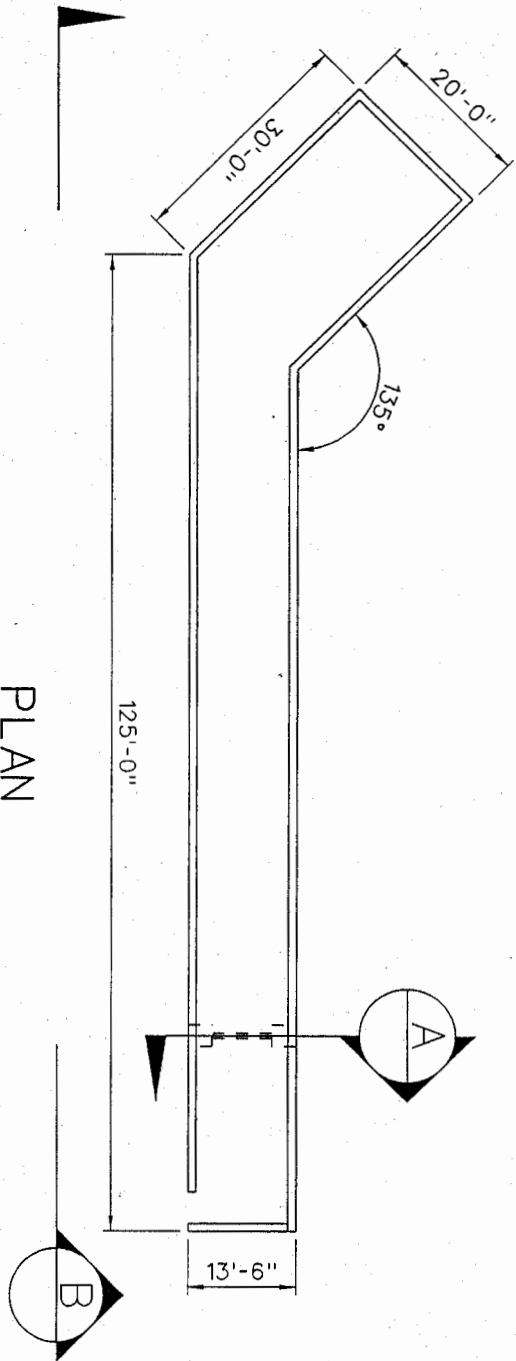
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PILE LAYOUT



PLAN



Sheet 1 of 1

ALLEGHENY RIVER
KINZUA DAM
ANGLER'S FISHING PIER
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X
X

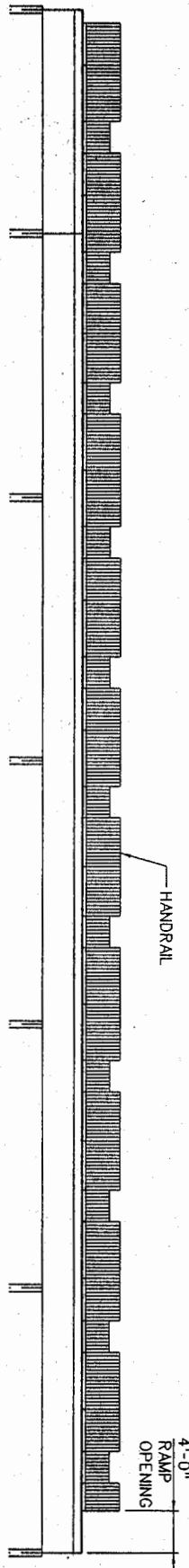
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US Army Corps
of Engineers
Vicksburg District
Vicksburg, MS 39180
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ALLEGHENY RIVER KINZUA DAM ANGLER'S FISHING PIER X X X	
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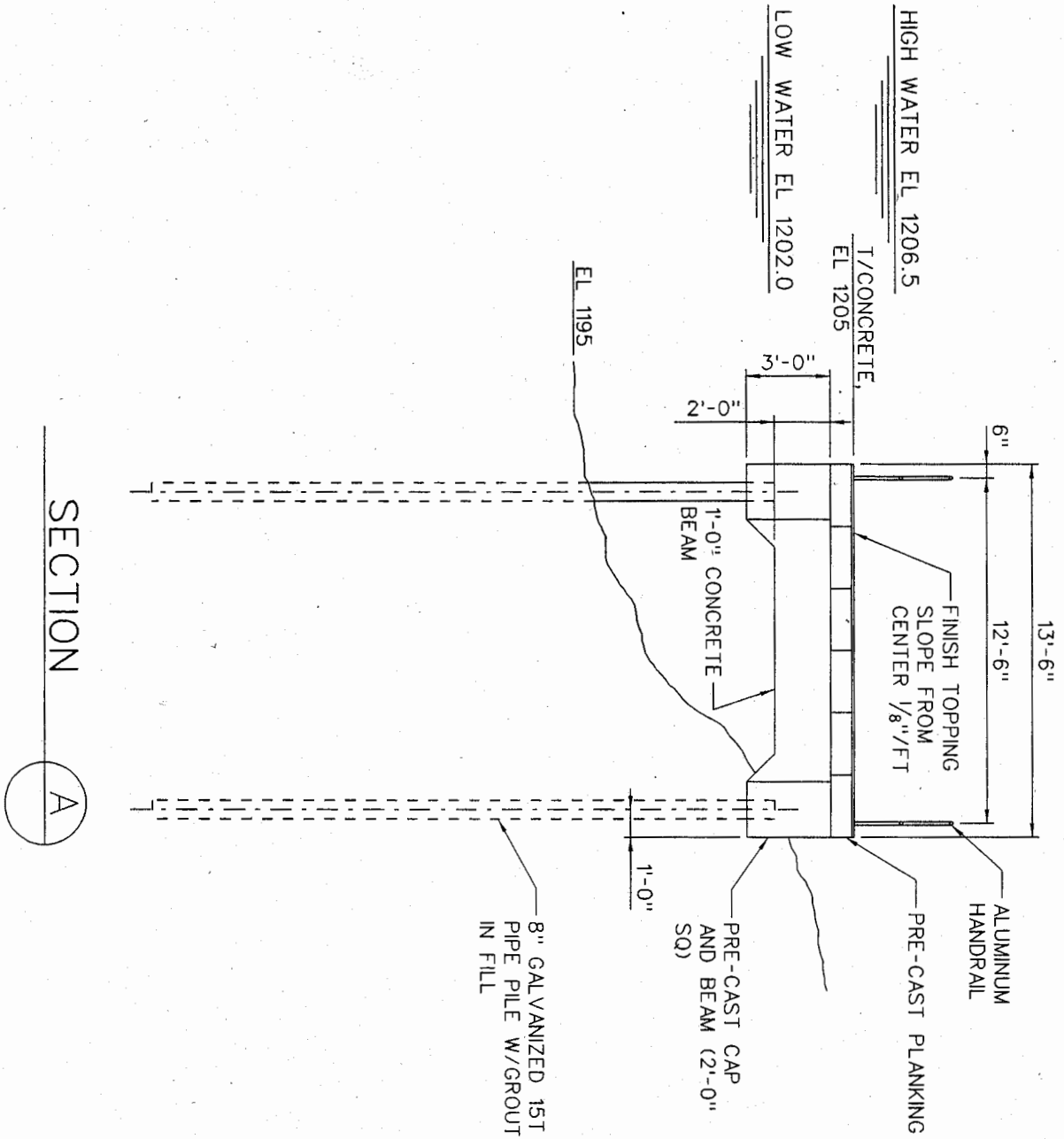
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US Army Corps of Engineers Pittsburgh District

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KINZUA DAM
ANGLER'S FISHING PIER

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US Army Corps of Engineers
District Office
District Engineer
District Engineer